UNITED STATES DISTRICT COURT DISTRICT OF SOUTH DAKOTA SOUTHERN DIVISION



MICHELLEÉ MUTUA,

Civ. 09-4080

Plaintiff,

VS.

PROTECTIVE ORDER

TEXAS ROADHOUSE MANAGEMENT CORPORATION, MURRAY WELDER, and THOMAS SCHEEL.

Defendants.

In the above-entitled matter, certain information provided to Plaintiff by Defendants in response to discovery requests from Plaintiff to Defendants, to the extent it is marked and labeled by Defendants as "Confidential Information" shall be classified as "Protected information."

Protected information shall be used solely for the purposes of this litigation and shall not be given, shown, made available, discussed, or otherwise communicated in any form by Plaintiff or his counsel of record, to any one other than:

- a. The plaintiff Michellee Mutua and current counsel of record for the plaintiff and employees of Woods, Fuller, Shultz & Smith, P.C., and the Court and its employees.
- It shall be the responsibility of counsel to bring this order to the attention of all
 persons to whom they disclose protected information and to advise such

persons that they are bound by the terms of this order. Persons to whom protected information is made available are bound by the restrictions in this order.

3. No document (including motions, briefs, depositions, and exhibits) containing protected information shall be filed with the Clerk of the Court unless the protected information is filed separately under seal in an envelope with a legend on the envelope and document substantially as follows:

This envelope/document contains protected information. Disclosure or use of such information is restricted by Court order. This document is filed under seal.

- 4. By providing or requesting protected information, neither party waives any privileges, objections, or protections otherwise afforded to it by law or equity.
- 5. Any party may, after consultation with opposing counsel, apply to the Court for modification of or an exception to this Order.

DATED this _____ day of November, 2009.

BY THE COURT:

Honorable Karen E. Schreier